

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

BRITTANY E. MARTIN,

Plaintiff,

v.

HENN LESPERANCE PLC., et al.,

Defendants.

Case No.: 1:24-cv-00072

HON. Hala Y. Jarbou
Magistrate Ray Kent

Brittany E. Martin

Plaintiff in Pro Se

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*****EXPEDITED CONSIDERATION REQUESTED*****

PLAINTIFF'S UNOPPOSED MOTION FOR A ONE-DAY EXTENSION OF TIME

Pursuant to Fed. R. Civ. P. 6(b)(1)(B) and W.D. Mich. LCivR 7.1(c), Plaintiff Brittany E. Martin respectfully moves the Court for a one-day retroactive extension of time to deem her Response in Opposition to Defendants’ Motion to Strike and Seal Plaintiff’s Amended Complaint (ECF No. 102) timely filed.

Plaintiff submitted the response at 6:46 a.m. on September 26, 2024—6 hours and 46 minutes past the Court’s September 25, 2024, 11:59 p.m. deadline (ECF No. 101). The response was submitted at 6:46 a.m. on September 26, 2024—just six hours and forty-six minutes past the Court’s September 25 11:59 PM deadline, per ECF No. 101—and has remained on the docket for over six months without any objection, procedural challenge, or indication from the Court that it was disregarded or treated as untimely.

This motion does not seek to relitigate the underlying motion, which has already been resolved, (ECF No. 105). It is brought solely to ensure ECF No. 102 is deemed timely filed for purposes of appellate review.

While conducting related legal research on April 9, 2025, Plaintiff realized that a formal finding under Rule 6(b)(1)(B) may be procedurally required to preserve ECF No. 102 for appellate consideration in connection with her pending Appeal of Magistrate Judge’s Order (ECF No. 106). Until that point, Plaintiff had reasonably believed—albeit perhaps mistakenly—that the Court had exercised its discretion under W.D. Mich. LCivR 7.1(d), which permits the Court to enlarge any time limit “without prior notice or motion,” and had, in doing so, extended the deadline and accepted the filing without requiring further action from Plaintiff.

Plaintiff immediately sought concurrence from Defendants on April 10, 2025, and now brings this motion promptly out of an abundance of caution.

Plaintiff relies on her accompanying Brief in Support and submits that good cause exists to grant the requested relief. The delay was minimal, resulted from excusable neglect, caused no prejudice to Defendants, and granting the motion would serve the interests of justice.

Given the narrow scope of the request, lack of prejudice, and the pendency of Plaintiff's appeal, expedited consideration is respectfully requested to eliminate any procedural ambiguity before a challenge can arise on appeal.

WHEREFORE, Plaintiff respectfully requests that the Court:

1. Grant expedited consideration of this unopposed motion;
2. Grant a one-day extension of time under Fed. R. Civ. P. 6(b)(1)(B) and deem ECF No. 102 timely filed as of September 26, 2024; and
3. Grant any further relief the Court deems just and proper.

Respectfully submitted,

Brittany E. Martin
Plaintiff

Dated: April 14, 2025

By: /s/ Brittany E. Martin

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